

CHAPTER NO.610

SENATE BILL NO. 2457

By Cooper, Rochelle

Substituted for: House Bill No. 2675

By Bittle, Cross, Tidwell, Fraley, Davis, Jackson, Huskey, McDaniel, Burchett, Newton,
Westmoreland, Maddox, Gunnels, Fitzhugh, McKee, Rinks, Boyer, Dunn, Sargent,
Curtiss, Pleasant

AN ACT To amend Tennessee Code Annotated, Section 70-2-201 and Title 70, Chapter 1 relative to creation of a lifetime sportsman license and the wildlife management endowment fund which will partially be made up of most or all proceeds from the sales of the lifetime sportsman license.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

SECTION 1. Tennessee Code Annotated, Section 70-2-201, is amended by adding the following new subsection to be designated as subsection (g):

(g) Lifetime Sportsman License.

(1) There is hereby created a lifetime sportsman license which shall entitle a resident of Tennessee, as defined herein, to the same privileges and benefits as provided to an annual sportsman license holder. A lifetime sportsman license remains valid throughout the life of the license holder even though the person may become a nonresident.

(2) For the purpose of this subsection, a resident is a person who has resided in this state continuously during the twelve (12) consecutive months immediately preceding the purchase of the license; however, a child under the age of one year and born in this state shall be considered a resident if one or more of the child's parents or the child's legally designated guardian is a resident of Tennessee at the time of the child's birth and has continued to reside in Tennessee since the birth.

(3) The following fee schedule applies to the lifetime sportsman license:

- (a) Less than one (1) year of age \$200.00
- (b) One (1) year of age through twelve (12) years of age
\$600.00
- (c) Thirteen (13) years of age through fifty (50) years of age
\$1,200.00
- (d) Fifty-one (51) years of age or older \$700.00

Provided that the fee for an applicant under the age of three (3) shall be \$200.00 if purchased prior to March 1, 2000.

The fees shall be automatically adjusted to reflect the same percentage increase as the annual sportsman license. In no event shall the fee decrease.

SECTION 2. Title 70, Chapter 1, is amended by adding the following new appropriately designated sections:

TCA 70-1-__1. Wildlife Management Endowment Fund

(a) The General Assembly recognizes and reaffirms the importance to the citizens of Tennessee of management, protection, propagation, and conservation of wildlife, including the importance in protecting and preserving for future generations, the heritage of hunting and fishing in the state. Further, the General Assembly recognizes the importance of providing the opportunity for citizens to invest in the future of its wildlife resources. Therefore, in order to aid in future funding for the Wildlife Resources Agency to continue establishing and carrying out fish and wildlife programs and to assure protection and preservation for future generations of the heritage of hunting and fishing in the state, there is hereby created a fund known as the "wildlife management endowment fund".

(b) The wildlife management endowment fund shall consist of the following assets deposited to the fund:

(1) The proceeds from the sale of lifetime sportsman licenses.

(2) The proceeds from cash donations or donations of property converted or to be converted to cash.

(3) Such other sources as may be deemed appropriate including sources which may be specified by law.

(4) Income derived from fund investments.

(c) Monies shall be invested pursuant to law for the benefit of the fund. For purposes of expenditures from the fund pursuant to §70-1-306, the wildlife management endowment fund shall be included as a part of the wildlife resources fund subject to the restrictions and requirements of the wildlife management endowment fund as set out in this section. Neither the monies of the fund, nor the interest accruing on investments and deposits of the fund shall be used for any other purposes than those set out in this section, nor shall any part of the fund be diverted to the general fund or to any other public fund.

(d) No expenditure or disbursement shall be made from the principal of the wildlife management endowment fund.

(e) No expenditures or disbursements from the income from proceeds derived from the sales of lifetime sportsman licenses to holders under the age of sixteen (16) years shall be made for any purpose and shall become a part of the fund's principal. Income earned after the holder reaches the age of sixteen (16) shall be available for expenditures or disbursements. The Wildlife Resources Agency shall cause deposits of proceeds from the sale of lifetime sportsman licenses to holders under the age of sixteen (16) to be distinguished and shall maintain information as to the ages of license holders to determine the amount of income which remains encumbered by and which is free of this restriction.

(f) The income received and accruing from the investments of the wildlife management endowment fund, subject to limitations prescribed for funds received from the sale of lifetime sportsman licenses to holders under the age of sixteen (16) years, may only be spent in furthering the management, protection, propagation, and conservation of wildlife to assure perpetual protection and

preservation for future generations of the heritage of hunting and fishing in the State of Tennessee and the efficient operation of the Wildlife Resources Agency in accomplishing these objectives.

SECTION 3. This act shall take effect upon becoming a law, the public welfare requiring it.


JOHN S. WILDER
SPEAKER OF THE SENATE


JIMMY NAIFEH, SPEAKER
HOUSE OF REPRESENTATIVES

PASSED: March 2, 1998

APPROVED this 12th day of March 1998


DON SUNDQUIST, GOVERNOR